

## REMARKS

In the Final Office Action, dated 05/14/2009 ("Office Action"), each of pending claims 1,10-11,15-17,20,23-24,29,33,39,41,43,46 and 48-56 were rejected. Claims 1,10-11,17,20,29,33,39,41,46 and 48-56 were rejected under 35 USC 103(a) as being unpatentable over Walker et al., US 6113492 (hereinafter Walker '492) and Walker et al., US 6068552 (hereinafter Walker '552) and Wilms, US 5277424 (hereinafter Wilms). Claims 15-16,23-24,36, and 43 were rejected under 35 U.S.C. 103(a) as being unpatentable over Walker and Walker as applied to claims above, and further in view of Skratulia (US 5,690,335).

Applicants respectfully traverse all rejections regarding all pending claims and earnestly solicit allowance of these claims.

### 35 U.S.C. § 103(a)

In response, Applicants submit that Claim 1 (Currently Amended) is patentable over Walker '492, Walker '552, and Wilms as the references neither individually nor together, disclose or suggest a " gaming method, comprising: ... receiving a credit value selection from the player, wherein the value of each credit is a fractional denomination of standard currency denominations; converting the funds received from the player into credits corresponding to the selected credit value; ... receiving a player's wager, wherein the player wager comprises one or more of the credits; and presenting a game of chance to the player in exchange for the player's wager." And given the significant number of different methods for presenting wagering games, one skilled in the art could not be said to find the claimed method and/or system obvious to try.

With regard to the Office Action, p2, Para. 4, l.3–5, Applicants fail to see and rebut that Walker '492 "teaches a gaming device that converts the funds received from the player into credits, wherein each credit has the capability of being a value less than a smallest denomination". Walker '492, col. 9, l.59–67 reads "It should be noted that the amount of coins wagered per play could be any number of coins as specified by the casino operator. Although reverse payout table 146c is described using whole coins, the present invention may be practiced using fractional coin values. Thus, for a wager of one coin, a *payout* may total only one sixth of a coin. These fractional amounts may be accumulated in RAM 118 and *paid out when a whole coin is reached.*" At best Walker '492 suggests accumulation of fractional denomination winnings and paying only whole currency denominations; however, Walker '492 is bereft of any suggestion of accepting fractional denomination wagers as claimed and taught by the Applicants.

Furthermore, neither Walker '552 (filed after Walker '492 with the same first two inventors) nor Wilms reference fractional denominations at all. The fact that Walker '552 fails to even reference fractional denomination wagering (or even fractional denominations at all) in its discussion of customizing different playing parameters including wager amounts would tend to argue against any assertion of obviousness per the Office Action, p3, l. 16 – p4, l.3, particularly when one notes that Walker '552 was filed subsequent to Walker '492 and by the same first two named inventors.

With regard to the Office Action, p4-5, neither Congello nor Walker '670 contemplate nor suggest fractional denomination wagers nor fractional denomination wagers in a gaming device. Each of Congello and Walker '670 discuss using change (coins) to purchase a fractional lottery ticket. This does not equate to "receiving a credit value selection from the player, wherein the value of each credit is a fractional denomination of standard currency denominations" as claimed by the Applicants, Claim 1. It would hardly have been obvious for one skilled in the art to combine Congello and Walker 670 with Wilms to conceive of a selectable fractional denomination wagering method in a gaming device such as is claimed by the Applicants. The Applicants have developed a method that provides additional capabilities in the art which were not hitherto available nor considered. And given the significant number of different methods for presenting primary and secondary games, one skilled in the art could not be said to find the claimed method and/or system obvious to try.

Responsive to the remaining pages of the Office Action, the foregoing discussion and rebuttals are incorporated as to each of Claims 10-11 (currently amended) and Claims 15-17, 49-50 as being dependent upon Claim 1 (currently amended).

With respect to Claim 20, the foregoing arguments and rebuttals are repeated as none of the references either together or separately disclose or suggest a gaming method for use on a gaming device "receiving a player input selecting a credit

value that is less than a smallest denomination for standard currency" nor said step together with the steps of determining credits based on the selection, receiving a player's wager, and presenting a game of chance based on the non-standard currency denomination and in accordance with the player's wager. Similarly, claims 23, 24, 29, and 51–52 are dependent on Claim 20 and include each of its steps.

With respect to Claim 33 (currently amended), the foregoing arguments and rebuttals are repeated as none of the references either together or separately disclose or suggest a gaming device including "a player input device for selecting a credit value..., the credit value being less than a smallest denomination for standard currency" nor a controller for converting a voucher into credits associated with the non-standard currency denomination and accepting a corresponding wager from the player to play a wagering game. Similarly, claims 36, 39, 48, and 53–54 are dependent on Claim 33 and include each of its structure.

With respect to Claim 41 (currently amended), the foregoing arguments and rebuttals are repeated as none of the references either together or separately disclose or suggest a gaming device including "an input device configured to allow a player to select a credit value; the credit value being associated with a non-standard currency denomination" nor "a controller configured to store the credit value selected by the player" nor apparatus for accepting a corresponding wager

from the player to play a wagering game. Similarly, claims 43, 46, and 55–56 are dependent on Claim 41 and include each of its structure.

Additionally, apart from what has been specifically conceded or concurred with, all other recitations with respect to the patentability of the claims and/or disclosure or teachings of the cited references as found in the Office Action are rebutted. The Applicants respectfully request that the rejection as to each of the existing Claims be withdrawn.

In view of the foregoing, the Applicants respectfully submit that the application is complete and requests that the application be moved forward for patenting.

Respectfully submitted,

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